

U.S. Department of Labor
Occupational Safety and Health Administration

Case File Diary

Company: Corry Mfg		Location: Corry, PA	Number: 113172563
Date:	Action:	Initials:	
3-11-03	ASSIGNMENT Made.		
3-12-03	Inspection initiated - Referral Insp - will issue citation by 3-25-03 (statute of limitations) then finish LO/TO & AMP initiatives per strat team directives at a later date - file remains open.	7a	
	TO SUBV FOR Review OF 1st CITATION - 212(a)		
3-25-03	OK to ISSUE from Barry w/AVD word changes		
3-25-03	Changes made, citation #1 - maybe #2 futures		
3-25-03	Hand delivered - 10 ⁰⁰ AM meeting w/co to finish AMP & LO/TO portion of inspection.		
3-27-03	Updated NCR to reflect QCD - filed case		
4/3/03	AMS rec. call from attorney Dan Miller who called on behalf of Co. The main point he wanted to convey was that IUP did consult w. us on 9/13/03 (before accident) and did not find problem w/ the press bris cited. apparently he felt this might influence cto penalty. After some discussion I told him IUP visit did not affect whether or not we cite something. Mr. Miller intimated that Co. will probably sign VSA		
4-8-03	check processed - computer updated		
4-15-03	Imm Abt, \$ pd, case closed on NCR, labeled, filed		

**DEFENDANT'S
EXHIBIT**

R
04-249E

U.S. Department of Labor
Occupational Safety and Health Administration



Inspection Report

Fri Mar 21, 2003 9:37am

Rpt ID	Assignment Nr	CSHO ID	Supervisor ID	Inspection Nr	Opt. Insp. Nr
0336000	263063782	7a	W0556	113172563	7a

Establishment Name		Corry Manufacturing Company			
Site Address	519 West Main Street Corry, PA 16407	Site Phone	(814) 664-9611	Site FAX	
Mailing Address	P.O. Box 17 Corry, PA 16407	Mail Phone	(814) 664-9611	Mail FAX	
Controlling Corp		Employer ID	251184830		
Ownership	A. Private Sector	City	1700	County	049
Legal Entity		Previous Activity (State Only)	I. Inspection 17660358		

Related Activity					
Type	Number	Satisfied	Type	Number	Satisfied
R. Referral	200383131	Safety			

Employed in Establishment	Advance Notice?	No	Category	S. Safety
Covered By Inspection	Union?	No	Interviewed?	Yes
Controlled By Employer	Walkaround?	Yes		
Primary SIC	Secondary SIC		Inspected	
Primary NAICS	Secondary NAICS		NAICS Inspected	

Inspection Type	C. Referral	Reason No Inspection	
Scope of Inspection	B. Partial Inspection		
Classification			
Strategic Initiatives	AMPUTATIONS		
National Emphasis	AMPUTATE Reducing Machine Hazards Leading to Amputations		
Local Emphasis	LOTO THE CONTROL OF HAZARDOUS ENERGY (LOCKOUT/TAGOUT)		

Anticipatory Warrant Served?	No	Denial Date	Date ReEntered	Date ReDenied	ReEntered
Anticipatory Subpoena Served?	No				

Entry	03/12/03	11:00	First Closing Conference		
Opening Conference	03/12/03	12:30	Second Closing Conference		
Walkaround	03/12/03	12:45	Exit		
Days On Site	1		Case Closed		
			No Citations Issued		

Type	ID	Optional Information

CSHO Signature	7c	Date	3-21-03
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Narrative

U.S. Department of La.
Occupational Safety and Health Administration



1. Establishment Name: <u>Corry Mfg. Company</u>		2. Inspection Number: <u>11317256</u>	
3. Type of Legal Entity: <u>Corp</u>		4. Type of Business or Plant: <u>Compressor for aerospace & gas turbine industries</u>	
5. Additional Citation Mailing Addresses			
(1) Name _____		(2) Name _____	
Attn: _____		Attn: _____	
Street Address _____		Street Address _____	
City _____ State _____ Zip _____		City _____ State _____ Zip _____	

6. Names and Addresses of All Organized Employee Groups:		C M		7. Authorized Representatives of Employees:		W A	
Name		<input type="checkbox"/>	<input type="checkbox"/>	Name	Tele. No.	<input type="checkbox"/>	<input type="checkbox"/>
Local No.	Tele. No.			Organization	Title		
Address				Home Address			
	Zip Code				Zip Code		
Name		<input type="checkbox"/>	<input type="checkbox"/>	Name	Tele. No.	<input type="checkbox"/>	<input type="checkbox"/>
Local No.	Tele. No.			Organization	Title		
Address				Home Address			
	Zip Code				Zip Code		

8. Employer Representatives Contacted:			W A	9. Other Persons Contacted:		
Name	Title	Function		Name, Occupation & Affiliation	Tele. No.	
<u>Harold R. Jackson</u>	<u>Controller</u>	<u>IOC</u>	<input checked="" type="checkbox"/>			
<u>"Rob" Timothy A. Marti</u>	<u>Plant Mgr</u>	<u>IOC</u>	<input checked="" type="checkbox"/>	Home Address	Tele. No.	
<u>Paula Merkle</u>	<u>Personnel Adm</u>	<u>IOC</u>	<input checked="" type="checkbox"/>		Zip Code	
<u>Gary Merkle</u>	<u>Plant Eng</u>	<u>IOC</u>	<input type="checkbox"/>	Name, Occupation & Affiliation	Tele. No.	
10. Coverage Information: <u>Ship product to Arizona</u>				Home Address	Tele. No.	
					Zip Code	

11. Date & Time of Entry: <u>See OSHA-1</u>	12. Date & Time Walkaround Began: <u>12-03</u>	13. Date & Time Closing Conference Began: (1) _____ (2) _____	14. Date & Time of Exit: _____
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15. Follow-up Inspection Recommended:	
Yes <input type="checkbox"/>	No <input type="checkbox"/> Reason: _____
17. Accompanied by: _____	

U. S. Department of Labor
Occupational Safety and Health Administration



Referral Report

Wed Mar 12, 2003 9:47am

Reporting ID	0336000	Previous Activity	I. Inspection 17660358	Referral Number	200383131	
Establishment Information	Establishment Name	Corry Manufacturing Company			Employer ID	251184830
	Site Address	519 West Main Street Corry PA 16407			City Code	1700
				County Code	049	
	Site Phone	(814) 664-9611			Site Fax	
	Mailing Address	P.O. Box 17 Corry PA 16407				
		Mailing Address Phone	(814) 664-9611			Fax
Industry & Ownership	Type of Business		Primary SIC	3714	Primary NAICS	336399
	Ownership	A. Private Sector				
Source	Referred By	A. CSHO (Within Office) Z0660			Date Received	03/11/03
	Source or Contact (Name, Location, Affiliation, Telephone Number):					
Referral Classification	Safety - Serious					

HAZARD DESCRIPTION:

On or about September 25, 2002 an employee had several fingers on both hands amputated in an unguarded press.

Referral Action	Send Letter	Date Letter Sent	Date Response Due	Response Received (Satisfactory or Not Satisfactory)	Supervisor(s) Assigned
					W0556
	Inspection Planned? Yes	If Yes, Priority: 10			If No, Reason:
	Transfer To (Name):				Transfer Date
	Transfer To Category:				
Strategic Initiatives	AMPUTATIONS				
National Emphasis	AMPUTATE Reducing Machine Hazards Leading to Amputations				
Local Emphasis	LOTO THE CONTROL OF HAZARDOUS ENERGY (LOCKOUT/TAGOUT)				
Optional Information	Type	ID	Optional Information Value		
Close Referral					
Comments					

U. S. Department of Labor
Occupational Safety and Health Administration



Worksheet

Tue Mar 25, 2003 9:00am

Inspection Number		113172563	
Opt. Insp. Number		7c	
Establishment Name	Corry Manufacturing Company		
Type of Violation	S Serious	Citation Number	01
Item/Group	001		
Number Exposed	1	No. Instances	1
REC	R Referral		
Std. Alleged Vio.	1910.212(a)(3)(ii)		

Abatement Period	Multi-Step Abatements			Final Abatement	Action Type/Dates
	PPE Period	Plan	Report		
0				Corrected During Inspection	
Abatement Documentation Required			N	Date Verified	

Substance Codes	
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AVD/Variable Information:	
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29 CFR 1910.212(a)(3)(ii): Point(s) of operation of machinery were not guarded to prevent employee(s) from having any part of their body in the danger zone(s) during operating cycle(s):

(a) Building #3; Heim mechanical press brake, Model #70-6, Serial # 2176. On or about September 25, 2002, an employee sustained amputation to eight fingers while operating a foot pedal actuated, unguarded press brake.

Penalty Calculations				Adjustment Factors			Proposed Adjusted Penalty
Severity	Probability	Gravity	GBP	Size	Good Faith	History	
				845			
Repeat Factor							

Employee Exposure:					
Occupation	Component Tech 1		Employer	Corry Manufacturing Company	
Nr. of Employees	1	Duration	12 weeks	Frequency	daily
Employee Name					
Address	7c		Phone		

Instance Description:	A. Hazard	B. Equipment	C. Location	D. Injury/Illness	E. Measurements
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4. Date/Time
9-25-03

20. Instance Description - Describe the following:

- a) Hazards-Operation/Condition-Accident: An employee placing a part on a mandrel accidentally activated the press brake by stepping on the foot pedal. Both hands were on the part at the time the press cycled. The four fingers on each hand were amputated in the accident. Surgery performed immediately after the accident allowed them to reattach 3 of the 4 fingers

on each hand. Both pinky fingers are permanently amputated. The press brake was equipped with two-hand pedestal control buttons but were not in use at the time of the accident. See company's "Internal Accident Report" and "Injury Investigation Report". The foot pedal was properly guarded at the time of the accident. This was a hands-in-die operation.

- b) Equipment: Heim 6" Mechanical Press Brake, Model No. 70-6, Serial No. 2176, and Company Machine No. 820.
 c) Location : Building #3, Corry Manufacturing Company, Corry, PA
 d) Injury/Illness: Multiple finger amputations.
 e) Measurements: AT THE POINT OF OPERATION

21. Photo Number	Location on Video
	y

23. Employer Knowledge : The Company is on EAO's "Amputation" strategic initiative list and was sent the letters/information last July. The Company had the two-hand controls available and were not in use. This mechanical press brake and one other mechanical press brake are the only two pieces of equipment not equipped with light curtains.

24. Comments (Employer, Employee, Closing Conference) : The mechanical press brake has had the foot pedal removed and is now locked in the two-hand control mode. Also, a light curtain has been installed and electrically interlocked with the two-hand pedestal control buttons.

25. Other Employer Information :

26. Classification:				
Serious	Knowledge	S or O	Repeat?	Willful?
Y	Y	S	N	N

First Repeat	Second Repeat	Repeat Penalty

Event Date	Event Code	Action Code	Citation Type	Penalty	Abate Date	Final Order
03/25/03	Z Add transaction	A Add	S Serious	1575.00		

U. S. Department of Labor
Occupational Safety and Health Administration



Referral Report

Wed Mar 12, 2003 9:47am

Reporting ID	0336000	Previous Activity	I. Inspection 17660358	Referral Number	200383131	
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	Site Phone	(814) 664-9611			County Code	049
	Site Fax					
Mailing Address	P.O. Box 17 Corry PA 16407					
	Mailing Address Phone	(814) 664-9611			Fax	
Industry & Ownership	Type of Business		Primary SIC	3714	Primary NAICS	336399
	No. of Employees	300				
Ownership	A. Private Sector					
Source	Referred By	A. CSHO (Within Office) Z0660			Date Received	03/11/03
	Source or Contact (Name, Location, Affiliation, Telephone Number):					
Referral Classification	Safety - Serious					

HAZARD DESCRIPTION:

On or about September 25, 2002 an employee had several fingers on both hands amputated in an unguarded press.

Referral Action	Send Letter	Date Letter Sent	Date Response Due	Response Received (Satisfactory or Not Satisfactory)	Supervisor(s) Assigned
					W0556
	Inspection Planned? Yes	If Yes, Priority: 10			If No, Reason:
	Transfer To (Name):				Transfer Date
	Transfer To Category:				
Strategic Initiatives	AMPUTATIONS				
National Emphasis	AMPUTATE Reducing Machine Hazards Leading to Amputations				
Local Emphasis	LOTO THE CONTROL OF HAZARDOUS ENERGY (LOCKOUT/TAGOUT)				
Optional Information	Type	ID	Optional Information Value		
Close Referral					
Comments					



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Directives

STD 1-12.12 - General Requirements For All Machines, As Applied to Power Press Brakes

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• Record Type:	Instruction
• Directive Number:	STD 1-12.12
• Title:	General Requirements For All Machines, As Applied to Power Press Brakes
• Information Date:	10/30/1978

OSHA Instruction STD 1-12.12 October 30, 1978

OSHA PROGRAM DIRECTIVE #100-44 (Revision #1)

TO: REGIONAL ADMINISTRATORS - OSHA

Subject: 29 CFR 1910.212, General Requirements For All Machines, As Applied to Power Press Brakes

1. Purpose

To provide guidance in the application of the subject standard to point of operation safeguarding of Power Press Brakes.

2. Directives Affected

This directive supersedes OSHA Program Directive #100-44 dated January 21, 1976. Paragraph 4.c. on page 2 has been revised.

3. Background

A number of comments and requests for variances have been received concerning 29 CFR 1910.212 as it applies to point of operation safeguarding of Power Press Brakes. 29 CFR 1910.212(a)(1) requires that a method of guarding be provided to prevent an operator or other employees from having any part of the body in the danger zone during the operating cycle. It gives examples of **guarding methods** such as barrier guards, two-hand tripping devices and electronic safety devices. 29 CFR 1910.212 (a) (3)(ii) states: "The point of operation of machines whose **operation exposes an employee to injury**, shall be guarded."

4. Action

a. Exposure or potential exposure must be established prior to a citation being issued.

b. Protection of employees from point of operation hazards must be accomplished by the use of guarding devices which are in conformity with any appropriate standards for the specific machine involved. In the absence of applicable specific standards, guarding devices shall be so designed and constructed as to prevent the operator from having any part of the body in the danger zone during the operating cycle.

c. Where guards or guarding devices, as described in the preceding paragraph b., cannot be installed to protect operators and other employees from point of operation hazards, then other methods are acceptable. Other methods of safeguarding can include a safe distance between the employee(s) and the point of operation, which may be accomplished by the location of the operator's controls; the dimensions of the material being held; or the use of hand tools to feed the part. In addition, a safe distance must be maintained between the point of operation and employees who are either working or passing in proximity to the unguarded machine. Where such alternative effective precautions described in this paragraph are taken, the unguarded point of operation will be considered a de minimis violation.

d. Where machine guarding may be installed to protect employees from point of operation hazards, hand tools shall not be used in lieu of machine guarding but can only be used to supplement the protection provided. 29 CFR 11910.212(a)(3).

5. Effective Date

This directive is effective immediately and will remain in effect until rescinded or revised by standard changes.

Barry J. White Associate Assistant Secretary for Regional Programs

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Occupational Safety & Health Administration
 200 Constitution Avenue, NW
 Washington, DC 20210

08/11/1994 - Presence sensing devices (PSDs) for power presses.

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Standard Interpretations

08/11/1994 - Presence sensing devices (PSDs) for power presses.

[Standard Interpretations - Table of Contents](#)

• **Standard Number:** 1910.217(c)(3); 1910.303(a)

August 11, 1994

[Name Withheld]

Dear [Name Withheld]:

Thank you for your inquiry of April 29, concerning the usage of "sensor lights," otherwise known as presence sensing devices (PSD). Related questions, and our responses are as follows:

Question 1:

Have PSD's been approved by the Occupational Safety and Health Administration (OSHA) as machine guarding for punch press machinery?

Reply:

Yes and no. Although OSHA has a standard that would allow the use of such devices, no third party has taken on the responsibility for the necessary approval called for by that standard.

The enclosed standard (29 CFR 1910.217(c)(3)) allows "point-of operation devices," such as PSD's to be used if they protect the operator by:

- a. Preventing and/or stopping normal stroking of the press before the operator's hands are inadvertently placed in the point of operation.
- b. Preventing the operator from inadvertently reaching into the point of operation, or withdrawing his/her hands if they are inadvertently located in the point of operation, as the dies close.
- c. Preventing the operator from inadvertently reaching into the point of operation at all times.

OSHA does not approve or disapprove specific products. However, OSHA requires that all electrical products used by employees must be treated and approved for their intended use by an OSHA Approved Nationally Recognized Testing Laboratory (NRTL). Underwriters Laboratories Inc. (UL) is the only NRTL which is working on the usage of PSD's as safety

guards for operational punch presses. To the best of our knowledge, UL has not yet developed a test for this purpose. The address and telephone number of UL are in the enclosed NRTL list.

Question 2:

If PSD's have not been approved as machine guarding for machine power presses by OSHA, why are they being used in American factories?

Reply:

The OSHA electrical standard (copy enclosed) 29 CFR 1910.303(a) requires electrical parts to be acceptable only if approved. OSHA approved NRTL's test for safety and list or label or otherwise certify electrical parts such as PSD's used as machine guards. Employers utilizing electrical equipment not so tested, listed, labelled or otherwise certified would be in violation of 1910.303(a) and may be cited.

Information associated with listed, labelled, or certified electrical equipment and conductors may be obtained from the NRTL involved. The contact person for UL is:

John Kobacik
Telephone: (708) 272-8800 ext. 42972

We appreciate your interest in employee safety and health. If we can be of further assistance, please contact David Garcia on 202-219-8031 x121.

Sincerely,

John Miles, Jr., Director
Directorate of Compliance Programs

Attachment

April 29, 1994

[Name Withheld]

To Whom It May Concern:

I have written this letter for information regarding the usage of Sensor Lights. For the purpose of an occupational safety device during the process of operating a Punch Press. Being that I earn my living operating a Punch Press on a daily bases. The information I am seeking affects me personally.


First of all I would like to know if Sensor Lights have been approved by the Federal Occupational Safety and Health Administration. As a means of a safety guard for Punch Press Machinery. If not why are they allowed for usage for that purpose in United States


08/11/1994 - Presence sensing devices (PSDs) for power presses.

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Factories? Second I would like to receive a copy of the Rules, Regulations & Safety Measures pertaining to the usage of Sensor Lights as safety guards in the operational process of Punch Press Machinery.

Thank You

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Occupational Safety & Health Administration
200 Constitution Avenue, NW
Washington, DC 20210

04/20/1986 - Power Press Brakes.

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Standard Interpretations

04/20/1986 - Power Press Brakes.

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• **Standard Number:** 1910.212

April 20, 1986

MEMORANDUM GILBERT J. SAULTER

FOR: REGIONAL ADMINISTRATOR

FROM: JOHN B. MILES, JR., DIRECTOR
DIRECTORATE OF FIELD OPERATIONS

SUBJECT: Power Press Brakes

This is in response to your memorandum of March 25, 1986, and relates to the memorandum of J.T. Knorpp of March 4, 1986, to Herbert M. Kurtz.

The OSHA standard related to mechanical power press brakes is 29 CFR 1910.212. Point of operation safeguarding is regulated under 29 CFR 1910.212(a)(3)(ii) and shall be in conformity with any appropriate standards. For enforcement purposes, OSHA field staff have consistently been directed to refer to the applicable industry consensus standards, published by the American National Standards Institute, Inc., (ANSI). ANSI B11.3-1982, Safety Requirements for Power Press Brakes, is the applicable standard under 29 CFR 1910.212(a)(3)(ii), since it expressed the accepted industry practices. (Also see the May 26, 1981 letter to C.A. Carlsson from Bruce Hillenbrand, which is a part of the incoming correspondence.)

ANSI B11.3-1982 describes specifications with alternatives for the proper safeguarding of power press breaks. The standard describes three (3) distinctly different types of press breaks. They are known as: 1) General-Purpose Power Press Brakes; 2) Special-Purpose Power Press Brakes; and 3) Combination Power Press Brake-Shear-Type Machines. These machines are described by Section 2.2, 2.3 and 2.4, respectively, in B11.3-1982.

Further discussion of press brakes for this memorandum is limited to general-purpose and special-purpose machines. The principle difference between these machines is the manner of control system for their operation. General-purpose machines are provided with only a single operator control station, while special-purpose machines may be equipped with multiple operator/helper control stations.

Usually, general-purpose brakes may be recognized by the control system which is mechanically linked to the clutch/brake mechanisms or the hydraulic control valving. Electric or pneumatic components are rarely a part of the control system and the controls can be disengaged only by mechanical means such as control locks, or removal of the control pedal. (See ANSI B11.3-1982, section 4.2.4.1.4.)

General-purpose mechanical power press brakes are activated by a significant amount of foot pressure upon a pedal which mechanically disengages the brake while simultaneously engaging the clutch and thereby initiating slide motion. Return springs disengage the clutch and re-engage the brake whenever foot pressure is released. Single stroke mechanisms are not required and antirepeat devices are inapplicable.

General-purpose hydraulic power press brakes must be equipped with a single stroke capability, which will stop the ram at the top of the stroke even if the operator fails to release the operating control. (See ANSI B11.3-1982, section 4.3.4.1.3 (3) and 4.3.4.2.)

Special-purpose power press brakes are activated through a servo-

system which is in turn controlled by one or more operator stations and controls. The servo-system may be electric, pneumatic, hydraulic or a combination of these methods, and controls the clutch/brake mechanism to permit ram motion. All special-purpose power press brakes are required to be equipped with antirepeat capability which limits the press to a single stroke even if the tripping control is held engaged. (See ANSI B11.3-1982, section 4.4.4.1.3(3) and 3.1.)

General-purpose power press brakes may be operated by a single operator and any helper(s) must be safeguarded by location, by a barrier guard, by pull backs, or by restraints. Other forms of helper safeguarding are ineffective and not applicable to general-purpose power press brakes.

Special-purpose power press brakes are equipped with sophisticated control systems which are adaptable to all form of safeguarding concepts and devices. The devices include, two-hand controls, and multiple operator/helper actuating controls.

General-purpose power press brakes may be modified to convert them to a special-purpose power press brake. Converted press brakes may then accommodate a broader variety of safeguarding concepts and are reclassified as special-purpose power press brakes.

Due to the great variety in types of power press brakes available and used in industry, it is imperative to clearly define the machine type being addressed before the hazards associated with the particular machine can be assessed. Under 29 CFR 1910.212(a)(3)(ii), the safeguarding of the point of operation of a power press brake is not simply a matter of whether or not it is barrier guarded. An evaluator must comprehend that point of operation safeguarding on a power press brake results from the synergism of the various provisions required by the ANSI B11.3-1982 standard. The ANSI B11.3 committee accomplished an extraordinary effort with the publication of ANSI B11.3-1982 and have very comprehensively expressed the various considerations necessary to achieve employee safety at the point of operation on power press brakes.

03/25/1983 - Point of operation guarding on power press brakes.

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Standard Interpretations

03/25/1983 - Point of operation guarding on power press brakes.

Standard Interpretations - Table of Contents

• Standard Number: 1910.212

March 25, 1983 -

MEMORANDUM FOR: BYRON R. CHADWICK
REGIONAL ADMINISTRATOR

THRU: JOHN B. MILES JR.
DIRECTOR OFFICE OF FIELD COORDINATION

FROM: BRUCE HILLENBRAND
ACTING DIRECTOR, FEDERAL COMPLIANCE AND STATE PROGRAMS

SUBJECT: Point of Operation Guarding on Job Shop Operations Utilizing Power Press Brakes

This is in response to your memorandum of February 14, 1983, reference (b), in which you request clarification of the OSHA requirements pertaining to point of operation guarding on power press brakes as used in job shop establishments.

OSHA's machine safeguarding regulation is one which requires that physical guards or positive acting safeguarding devices protect against each and every point of operation hazard. The OSHA policy regarding the absolute enforcement of this concept is tempered by the many variable circumstances that can occur in the workplace and the existing state-of-the-art regarding available safeguards. Responsible enforcement requires that the unique circumstances associated with the method of manufacture at each establishment be fully evaluated. As a result of manufacturing constraints, less than optimum safeguards may be acceptable if the employer supervises procedures and provides employee training to achieve an effective level of employee safety.

It is necessary to understand that safeguards are defined to mean physical barrier guards or physical devices which will prevent hazardous employee exposure and that safeguarding procedures for the point of operation on power press brakes, both mechanical and hydraulic, is the subject and intent of the ANSI B11.3-1982 consensus standard. Furthermore, OSHA accepts the safeguarding procedures presented in that standard as the current state-of-the-art capability, and numerous contested case actions have been resolved by applying appropriate safeguarding as presented by ANSI B11.3.

A review of the consensus standard B11.3 indicates that the effected industries have not

established a safeguarding state-of-the-art for these machines which absolutely precludes employee exposure. The extremely broad versatility of press brakes, as well as the various methods of manufacturing and workpiece configurations to which they are adapted, does not give rise to a completely viable general purpose safeguarding concept for all circumstances. Under some conditions absolute safeguarding with present technology appears impracticable. Therefore, in some circumstances alternative safeguarding methods must be applied to provide for employee safety while operating the press brakes.

In job shop or model shop establishments: (1) operators independently accomplish frequent die set-up and adjustments as the tasks require, (2) high volume rates of production forming are not anticipated, (3) the operators are not required to work under stressful conditions, and (4) the piece parts being fabricated are primarily unique, small quantity runs, which are being developed and produced in close coordination with engineering or the customer. Therefore, considerable supervisory (administrative) control may be necessary to enforce adherence to procedural safety practices. Due to the model shop or job shop nature of the operations, each set-up should be independently evaluated so that a procedure, guard, and/or device will assure the safety of the operator(s). The utilization of hazard analysis assessments, effective employee training, and engineering/management control over the manufacturing process should provide acceptable assurance that safe operating procedures are developed and followed.

OSHA Instruction STD 1-12.12, paragraph 4.c, recognizes the need for professional judgement by the compliance staff regarding effective alternative precautions. Compliance personnel must be knowledgeable of the applications for alternative safeguarding procedures in instances where full physical guarding is impractical or impossible.

The OSHA requirement for safeguarding mechanical and hydraulic power press brakes is presented by 29 CFR 1910.212. Since OSHA enforcement actions regarding power press brakes are unique for the circumstances of each manufacturing operation, a fairly comprehensive evaluation must be conducted. The evaluation must ascertain the particular circumstances involved in the production, job shop (limited short run production), or model shop manufacturing process.

Each category of manufacturing in which press brakes are used is indicative of the degree of physical safeguarding which can be reasonably accomplished. The following figure illustrates that the safeguarding concept most suitable, and usually most cost effective, is related to the type of manufacturing.

Production,	Job Shop,	Model Shop
		More costly safeguarding
		Higher production rates
		More sophisticated safeguarding
		More employee training
		More supervision
		More versatility of safeguards


03/25/1983 - Point of operation guarding on power press brakes.


Page 3 of 3

The state-of-the-art relative to safeguarding of the point of operation as it applies to power press brakes is presented by ANSI B11.3-1982. Section 6. Section 6.1.4(1) (portion attached) of that standard discusses the use of safe distance to provide safeguarding by location where full physical guarding is impractical or impossible, and is an alternative applicable to situations found in model shop and job shop operations where effectively trained operators of the journeyman category operate the equipment. Section 6.1.2 of B11.3 (attached) describes an effectively trained operator.

The use of hand tools to feed a press brake, in order to provide for a safe distance, is another acceptable alternative if supervisory controls are exercised and operators are effectively trained.

Under the guidance of STD 1-12.12, if the conditions for a safe distance are met and the press brake is provided with applicable guarding as specified by ANSI B11.3 (e.g. guarding of the unused portion of the dies and consistent use of material gages/back stops), a de minimus violation pertaining to point of operation guarding may exist. The determination must be resolved between the compliance officer and the Area Director.

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.../1981 - The manner in which OSHA provides for suitable applications of the ANSI B11.3 specification standard. Page 1 of 2

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Standard Interpretations

05/26/1981 - The manner in which OSHA provides for suitable applications of the ANSI B11.3 specification standard.

◆ [Standard Interpretations - Table of Contents](#)

◆ **Standard Number:** [1910.212](#)

May 26, 1981

Mr. Charles A. Carlsson
Secretary
B11.3 Committee
Carrier Corporation
P.O. Box 4800
Syracuse, New York 13221

Dear Mr. Carlsson:

This is in response to a request from a member of the ANSI B11.3 Committee, and describes the manner in which OSHA provides for suitable applications of the ANSI B11.3 specification standard. --

OSHA requirements for safeguarding mechanical power press brakes are contained in 29 CFR 1910.212, general requirements for all machines. Paragraph .212(a)(3)(ii) specifically provides that point of operation guarding shall be in conformity with any appropriate standards. The ANSI B11.3-1973 is currently used by OSHA as the appropriate standard regarding power press brakes. The ANSI B11.3 Committee has also published a draft revision dated November 1978, which provides even greater guidance, and is also used by OSHA as a

.../1980 - The application of presence sensing devices to general puPage 1 of 3

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Standard Interpretations

12/18/1980 - The application of presence sensing devices to general purpose power press brakes.

☛ [Standard Interpretations - Table of Contents](#)

• **Standard Number:** [1910.217](#)

December 18, 1980

Lloyd C. Pillsbury, Vice President
Data Instruments Inc.
4 Hartwell Place
Lexington, Massachusetts 02173

Dear Mr. Pillsbury:

This is in response to your correspondence regarding the application of presence sensing devices to general purpose press brakes, interpretation of OSHA purpose power brakes, interpretation of OSHA requirements, and confirms telephone conversations with Mr. Bode, a member of my staff.

Replies to your questions are provided as follows:

1. Power press brakes are regulated under the requirements of 29 CFR 1910.212. The guidance set forth by ANSI B11.3-1973, and the B11.3 draft revision of November 1978, are applicable to the safeguarding of the machines. Procedures similar to those required under 29 CFR 1910.217 are desirable and in some instances are required under the stipulations of the ANSI B11.3-1973, which is enforced by reference under 29 CFR 1910.212 as an applicable

.../1980 - The application of presence sensing devices to general p Page 2 of 3

standard.

2. Power press brakes are primarily regulated under 29 CFR 1910.212.

3. OSHA considers the safety distance formula applicable to power press breaks. Where the means for safeguarding the press break point of operation incorporates valid application of the safety distance formula, it is acceptable to OSHA.

4. OSHA compliance officers evaluate power press brake safety guarding in relation to hazardous employee exposure and the requirements of 29 CFR 1910.212. Guidance provided by ANSI B11.3-1973, and the B11.3 committee recommendations for minimum acceptable safeguarding criteria are used during their evaluation.

5. Brake monitors are not required to be installed on power press breaks.

6. & 7. Whether or not muting is provided for on any machine, such as a press break, is the express responsibility of the employer. Should an employee be exposed to a hazard as the result of an employer's actions, then OSHA would invoke a violation of the Act. A muted safeguard which permits employee exposure would be a violation of 29 CFR 1910.212(a)(1). Potential employee exposure to hazards is addressed by the OSHA Field Operations Manual, a portion of which is enclosed for further clarification.

8. The incorporation of control reliability similar to that defined by 29 CFR 1910.217 is advisable to the extent that fail safe operation is assured. The requirement for fail safe operation can be established.

9. The Office of Federal Compliance Programming is responsible for issuing clarification and interpretations regarding OSHA regulations which have national impact. Any questions may be directed to this office, as you have done in this case.

Sincerely,

John K. Barto
Chief, Division of
Occupational Safety Programming

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Standard Interpretations

09/23/1980 - Power press brake used as a mechanical power press (punch press).

[Standard Interpretations - Table of Contents](#)

• **Standard Number:** 1910.212; 1910.217

September 23, 1980 :

S.A. Brennen, President
PSC Corporation
Industrial Control Division
6880 Orangethorpe Avenue Buena Park, California 90620

Dear Mr. Brennen:

This is in response to your correspondence regarding a power press brake used as a mechanical power press (punch press).

Punch presses are regulated under 29 CFR 1910.217, Mechanical power presses. OSHA does not currently apply the mechanical power press standard to power press brakes. However, OSHA does require safeguarding similar to that which is required by 29 CFR 1910.217.

~~OSHA regulates power press brakes under 29 CFR 1910.212, and applies the recommendations of ANSI B11.1, 1973.~~

Employers are well advised to consider the options of 1910.217 and those provided by the ANSI committee in their draft revision of 1978, when evaluation safeguarding requirements and procedures. The ANSI committee currently considers straight sided power press brakes using four or more gib points as being regulated under ANSI B11.1, Safety Requirements for Mechanical Power Presses.

It is our opinion that the standard clearly defines the employer's responsibility to effectively safeguard his machines. 29 CFR 1910.212 establishes the criteria for machine safeguarding so as to prevent employee injuries.

If we may be of further assistance, please call or write.

Sincerely,

John K. Barto, Chief
Division of Occupational Safety Programming



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Machine Guarding eTool

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[Saws](#)

[Presses](#)

Two-hand Controls

Presses >>

- Mechanical
 - Full Revolution
 - Part Revolution
- Hydraulic
- Pneumatic
- Hydra-mechanical
- Mechanical
 - Friction Clutch
- Powered Press Brakes
- Definitions

Two-Hand Controls can be used as safeguarding devices in the single stroke mod on part revolution clutch presses. Similar to the two-hand trip, this device keeps hands away from the point of operation during the entire machine stroke.

- [Two-Hand Control Regulations](#)
- [Single Stroke Requirements](#)
- [How Does It Work?](#)

Two-Hand Control Regulations

- Press operations requiring more than one operator must provide each operator with separate two hand controls where each set must be engaged to complete a machine stroke. The removal of a hand from any control button will stop the slide. 1910.217(c)(3)(vii)(a)
- Each two-hand control must meet the construction requirements of paragraph (b)(7)(v). 1910.217(c)(3)(vii)(b)
- The safety distance (D_s) between each hand control device and the point must be greater than the distance determined by the safety distance formula. 1910.217(c)(3)(vii)(c)
- Two-hand controls' position must be fixed so that only a supervisor or saf is capable of relocating them. 1910.217(c)(3)(vii)(d)



Press operation using two-hand cr

Click on image to view vide

Single Stroke Requirements

- Each hand control must be protected against unintended operation and arranged by design, construction, and/or separation so that the concurrent use of both hands is required to trip the press. [1910.217(b)(7)(v)(a)]
- The control system must be designed to permit an adjustment which requires concurrent pressure from both hands during the die closing portion of the stroke. [1910.217(b)(7)(v)(b)]
- The control system must incorporate an anti-repeat feature. [1910.217(b)(7)(v)(c)]
- The control systems must be designed to require the release of all hand controls before an interrupted stroke can be resumed. This requirement pertains to single stroke, two-hand controls manufactured and installed on or after April 1971. [1910.217(b)(7)(v)(d)]



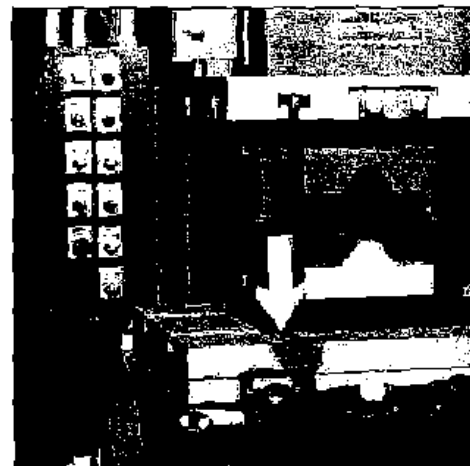
Press operation requires separate sets of controls for two operators

Please also see the formula used to compute the minimum safety distance on non-power presses to meet the ANSI B11.1 Press Safety Standard or information on measuring units.

How Does It Work?

Two-hand control, as a point of operation safeguarding device for press brakes, short-run job-shop operations. Piece parts can vary from quite small to very large.

- STEP 1 By depressing the control buttons, the operator initiates the press stroke.
- STEP 2 The operator must hold the buttons until the slide completes its downward travel. If the operator removes a hand from one of the controls, the slide will stop. In the single stroke or Hi/Lo mode, the slide will make one complete stroke.



Example of two-hand control operation
Click on image to view animation

- STEP 3 In the sequence mode, the slide will automatically stop at a pre-

- | | |
|--------|---|
| STEP 3 | In the sequence mode, the slide will automatically stop at a position 1/4" or less above the work piece. This position is adjusted for different feed-line heights or material thickness. |
| STEP 4 | If the work piece is not already placed in the die, it may be inserted at this time. |
| STEP 5 | The two-hand control or the <u>foot switch</u> is now re-initiated, causing the slide to continue through the bottom of the stroke and finish in dead center (TDC). |

[Saws | Presses](#)[eTool Home](#) | [Additional References](#) | [User Guide](#) | [Credits](#)[▲ Back to Top](#)www.osha.gov

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Establishment Search Inspection Detail -- OSHA View

Definitions

Inspection: 122166366 - Corry Manufacturing Company

Inspection Information - Office: Erie	
Nr: 122166366 Report ID: 0336000 Open: 08/20/1998	
Corry Manufacturing Company	Nr Employees: 212
519 West Main Street	Nr Controlled: 212
Corry , PA 16407	Union Status: NonUnion
SIC: 3714/Motor Vehicle Parts and Accessories	
Mailing: P.O. Box 17 , Corry , PA 16407	
Inspection Type: Planned	Employees Covered: 20
Scope: Partial	Advance Notice: N
Ownership: Private	Hours Spent: 8.5
Safety/Health: Safety	Close Conference: 08/20/1998
Emphasis: N:Pwrpress	Close Case: 08/21/1998
Opt Report Nr: 107	
Optional Information: Type ID Value	
N 20 NOISE	

Inspection: 113343693 - Corry Manufacturing Company

Inspection Information - Office: Erie	
Nr: 113343693 Report ID: 0336000 Open: 02/06/1992	
Corry Manufacturing Company	Nr Employees: 156
519 West Main Street	Nr Controlled: 162
Corry , PA 16407	Union Status: NonUnion
SIC: 3724/Aircraft Engines and Engine Parts	
Mailing: P.O. Box 17 , Corry , PA 16407	
Inspection Type: Complaint	Employees Covered: 50
Scope: Partial	Advance Notice: N
Ownership: Private	Hours Spent: 24.0
Safety/Health: Health	Close Conference: 02/06/1992

Safety/Health: Health		Close Conference: 02/00/1992	
Planning Guide: Health-Manufacturing		Close Case: 03/11/1992	
Optional Information: Type ID Value			
A 01 BLOOD			
Related Activity: Type	ID	Date	Safety Health
Complaint	072700271	06/13/1990	Yes

Inspection: 017660358 - Corry Manufacturing Company

Inspection Information - Office: Inactive-Erie	
Nr: 017660358 Report ID: 0317530 Open: 10/28/1987	
Corry Manufacturing Company	Nr Employees: 300
519 West Main Street	Nr Controlled: 300
Corry, PA 16407	Union Status: NonUnion
SIC: 3724/Aircraft Engines and Engine Parts	
Mailing: P.O. Box 17, Corry, PA 16407	
Inspection Type: Complaint	Employees Covered: 75
Scope: Partial	Advance Notice: N
Ownership: Private	Hours Spent: 7.5
Safety/Health: Safety	Close Conference: 10/28/1987
Planning Guide: Safety-Manufacturing	Close Case: 11/20/1987
Opt Report Nr: 019	
Related Activity: Type	ID Date Safety Health
Complaint	071431233 07/17/1987 Yes

	Violation Summary					
	Serious	Willful	Repeat	Other	Unclass	Total
Initial Violations	2			1		3
Current Violations	2			1		3
Initial Penalty	300.00					300.00
Current Penalty	300.00					300.00
FTA Amount						

Violation Items									
ID	Type	Standard	Issuance	Abate	Curr\$	Init\$	Fta\$	Contest	LastEver
1 01001	Serious	19100213 D01	11/10/1987	11/13/1987	180.00	180.00	0.00		-
2 01002A	Serious	19100215 B05	11/10/1987	12/15/1987	120.00	120.00	0.00		-
3 01002B	Serious	19100215 B05	11/10/1987	12/15/1987	0.00	0.00	0.00		-
4 02001	Other	19100219 E03 I	11/10/1987	11/27/1987	0.00	0.00	0.00		-

Payment and Administrative Actions				
Payments -- 300.00/ 0.00				
163 Nr	Type	Date	Penalty	FTA Origin Balance
283002269	Payment	10/19/1987	300.00	

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Inspection Report

Wed Mar 12, 2003 8:51am

Rpt ID	Assignment Nr	CSHO ID	Supervisor ID	Inspection Nr	Opt Insp Nr
0336000	1832682	7a	K6523	113343693	

Establishment Name		Corry Manufacturing Company			
Site Address	519 West Main Street Corry, PA 16407	Site Phone	(814) 664-9611	Site FAX	
Mailing Address	P.O. Box 17 Corry, PA 16407	Mail Phone		Mail FAX	
Controlling Corp		Employer ID	251184830		
Ownership	A. Private Sector	City	1700	County	049
Legal Entity		Previous Activity (State Only)	I. Inspection 17660358		

Related Activity					
Type	Number	Satisfied	Type	Number	Satisfied
C. Complaint	72700271	Health			

Employed in Establishment		Advance Notice?	No	Category	H. Health
Covered By Inspection		Union?	No	Interviewed?	Yes
Controlled By Employer		Walkaround?	Yes		
Primary SIC		Secondary SIC		Inspected	
Primary NAICS		Secondary NAICS		NAICS Inspected	

Inspection Type	B. Complaint	Reason No Inspection	
Scope of Inspection	B. Partial Inspection		
Classification	Health Planning Guide/Manufacturing		
Strategic Initiatives			
National Emphasis			
Local Emphasis			

Anticipatory Warrant Served?	No	Denial Date	Date ReEntered	Date ReDenied	ReEntered
Anticipatory Subpoena Served?	No				

Entry		First Closing Conference	02/06/92	
Opening Conference	02/06/92	Second Closing Conference		
Walkaround		Exit		
Days On Site	1	Case Closed	03/11/92	
		No Citations Issued	X	

Type	ID	Optional Information
A	01	SEATBELT
A	01	BLOOD

CSHO Signature		Date	
----------------	--	------	--

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Inspection Report

Wed Mar 12, 2003 8:52am

Rpt ID	Assignment Nr.	CSHO ID	Supervisor ID	Inspection Nr.	Opt. Insp. Nr.
0336000	283040947	7a	K6523	122166366	7a

Establishment Name		Corry Manufacturing Company			
Site Address	519 West Main Street Corry, PA 16407	Site Phone	(814) 664-9611	Site FAX	
Mailing Address	P.O. Box 17 Corry, PA 16407	Mail Phone		Mail FAX	
Controlling Corp.		Employer ID	251184830		
Ownership	A. Private Sector	City	1700	County	049
Legal Entity		Previous Activity (State Only)	I. Inspection 17660358		

Related Activity					
Type	Number	Satisfied	Type	Number	Satisfied

Employed in Establishment		Advance Notice?	No	Category	S. Safety
Covered By Inspection		Union?	No	Interviewed?	Yes
Controlled By Employer		Walkaround?	No		
Primary SIC		Secondary SIC		Inspected	
Primary NAICS		Secondary NAICS		NAICS Inspected	

Inspection Type	H. Programmed Planned	Reason No Inspection	
Scope of Inspection	B. Partial Inspection		
Classification			
Strategic Initiatives			
National Emphasis	PWRPRESS Inps - Workplaces Include Mechanical Power Presses		
Local Emphasis			

Anticipatory Warrant Served?	No	Denial Date	Date ReEntered	Date ReDenied	ReEntered
Anticipatory Subpoena Served?	No				

Entry	08/20/98	First Closing Conference	08/20/98
Opening Conference	08/20/98	Second Closing Conference	
Walkaround	08/20/98	Exit	08/20/98
Days On Site	1	Case Closed	08/21/98
		No Citations Issued	X

Type	ID	Optional Information
N	20	NOISE

CSHO Signature		Date	
----------------	--	------	--

Violation - Corry Manufacturing Company

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Violation - Corry Manufacturing Company

Standard Cited: 19100213 D01 *Woodworking Machinery Requirements*

Violation Information		
Nr: 017660358 Citation: 01001 Issuance: 11/10/1987 Report ID: 0317530		
Viol Type: Serious	Nr Instances: 1	Contest Date:
Abatement Date: 11/13/1987 X	Nr Exposed: 10	Final Order:
Initial Penalty: 180.00	REC:	Emphasis:
Current Penalty: 180.00	Gravity:	Haz Category:

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Violation - Corry Manufacturing Company

Standard Cited: 19100215 B05 *Abrasive Wheel Machinery*

Violation Information		
Nr: 017660358 Citation: 01002A Issuance: 11/10/1987 Report ID: 0317530		
Viol Type: Serious	Nr Instances: 1	Contest Date:
Abatement Date: 12/15/1987 X	Nr Exposed: 6	Final Order:
Initial Penalty: 120.00	REC: C	Emphasis:
Current Penalty: 120.00	Gravity:	Haz Category:

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Violation - Corry Manufacturing Company

Standard Cited: 19100215 B05 Abrasive Wheel Machinery

Violation Information		
Nr: 017660358 Citation: 01002B Issuance: 11/10/1987 Report ID: 0317530		
Viol Type: Serious	Nr Instances: 2	Contest Date:
Abatement Date: 12/15/1987 X	Nr Exposed: 4	Final Order:
Initial Penalty:	REC: C	Emphasis:
Current Penalty:	Gravity:	Haz Category:

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Violation - Corry Manufacturing Company

Standard Cited: 19100219 E03 I Mechanical Power-Transmission Apparatus

Violation Information		
Nr: 017660358 Citation: 02001 Issuance: 11/10/1987 Report ID: 0317530		
Viol Type: Other	Nr Instances: 1	Contest Date:
Abatement Date: 11/27/1987 X	Nr Exposed: 2	Final Order:
Initial Penalty:	REC:	Emphasis:
Current Penalty:	Gravity:	Haz Category:

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03/12/03

INSPECTION ASSIGNMENT

OSHA-168

1. Assignment No. : 283063782 1a. Reporting ID : 0336000
 2. CSHO ID : 7a
 3. CSHO Assgn Date : 03/12/03
 4a. Supervisor : W0556
 4b. Supv Assgn Date : 03/12/03
 5a. Trainee (s) :
 5b. Trainee (s) :
 6a. Estab Name : Corry Manufacturing Company
 6b. Site Street : 519 West Main Street
 6c. City : Corry
 9. Enter <Y> to pop up Related Activity Window: *

10. PREVIOUS ACTIVITY

a. Type :
 b. Number: 0

11. Insp Category : S
 12. Primary SIC : 3714 12A. Primary NAICS : 336399
 13. Secondary SIC : 13A. Secondary NAICS :
 15. Inspection Type : C
 16. Inspection Classification
 a. Safety Planning Guide
 1. Manufacturing:
 2. Construction :
 3. Maritime :
 b. Health Planning Guide
 1. Manufacturing:
 2. Construction :
 3. Maritime :
 16c. Local Emphasis Pgm: *
 16d. Nat'l Emphasis Pgm: *
 16e. Migrant Farmworker:
 16f. Strategic Plan : *
 17. Comments :

9. RELATED ACTIVITY

Type Number
 R 200383131

```

:
: 16D. National Emphasis Program
:-----
: AMPUTATE      Reducing Machine Hazards Leading to Amputations
:
:
:-----

```

```

:
: 16C. Local Emphasis Program
:-----

```

```

: LOTO          THE CONTROL OF HAZARDOUS ENERGY (LOCKOUT/TAGOUT)
:
:
:-----

```

```

:
: 16F. Strategic Plan
:-----

```

```

: AMPUTATIONS
:
:
:-----

```

Establishment Detail Screen

```

:
:
: Estab Name      :
: Dunn's No.      : Employer ID :
: Control Corp    :
:
: Site Street     :
: City            :
: State           : Zip : -
: City Code       : County Code :
: Phone No.       : - - FAX : - -
:
: Mail Street     :
: City            :
: State           : Zip : -
: Phone No.       : - - FAX : - -
:
: Ownership       : Fed Agency Code :
: Link Name       :
:
:
:-----

```

7c

Serial #:

Model #:

Sticker on (R) side of guard

7c at S+S - no sticker, stamping
 Request #'s from guard: nothing.

Emerson mfg.
 = no writing or stickers =

Tell Barry about Corry mfg.:

Girl had both hands ^{Corry PA}

amputated in a

mechanical power

press - foot pedal operated

no light curtain, two-hand Sept. 25th

→ name - extent of injuries ←

Last Sept. - not been there since 1992 - 15 to 16 yrs. ^{now}

D. Co. 168

4 bags

Who, what, where, when - 6 mos.
 not notifying

(2) taping guard

name of Attorney -

7c

7c Attorney:
Corry mfg.,
Sept. 25th

6 moth

Who -

Where - Corry mfg.

~~what~~ what - lost many fingers / both
What - mfg hands

7c

7c

Accd - Sept 25, 2002

Approx - 1:30 - 1:45 pm

Bldg 3 - 320 West Main Street, Carry PA

Injured Employee -

7c

Component

Injuries - smashed middle 3 ^{hands} on both Tech 1

Equipment - Press Brake ^{injuries to} pinkies - thumbs - no injuries

- Forming

7c

address & phone #
request

All day at this job -

7c not returned to work

✓ *copy of accident report
witness

lost ~~lost~~ ^{last} two on both hands &
part of index on @ hand.

Clean Up - internal first aid responders

✓ *200 & 300's

Press Brake - foot pedal - guarded

forming part No.

Since then - changes made -

remove foot pedal - two hand controls

available, weren't being used -

light curtain -

✓ *Set Up Sheet - job -

part to be slide onto a mandrel, had both
hands on side of mandrel not bottom on mandrel

when accidentally hit foot pedal which would
press brake.

both hands on part. Left button used on
every job possible

foot pedal activation completely removed -

Two-hand controls activate press brake -
pedestal mounted controls -

concurrent - ~~removed~~
light button prevents see from foot -

Set up light button }
palm buttons }

This particular job not run as often as before -
may not see this particular job -

Press Brake -
forms -

12-1 }
12-12:30 } twenty to one -

Bldg 3 - chances are not operating - press

Set up

Work Instructions

Change on 10-11-02 sub of injury -
no squeezing of part on mandrel -
this was eliminated -
10/26/00 added - see sheet -
10/11/02 deleted -



U.S. Department of Labor
Occupational Safety and Health Administration
Suite B-12
3939 West Ridge Road
Erie, PA 16506
Phone: (814)833-5758 FAX: (814) 833-8919

Citation and Notification of Penalty

To:
Corry Manufacturing Company
and its successors
P.O. Box 17
Corry, PA 16407

Inspection Number: 113172563
Inspection Date(s): 03/12/2003 -
Issuance Date: 03/25/2003

Inspection Site:
519 West Main Street
Corry, PA 16407

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The enclosed booklet (OSHA 3000) which outlines your rights and responsibilities should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

Posting - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer. **The penalty dollar amounts need not be posted and may be marked out or covered up prior to posting.**

Right to Contest - You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. **Unless you inform the Area Director in writing that you intend to contest the citation(s) and/or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.**

Notice to Employees - The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

U. S. DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

INFORMAL SETTLEMENT AGREEMENT

In the Matter of: Corry Manufacturing Company
OSHA No.(s): 113172563

The undersigned representatives of the Employer and the Occupational Safety and Health Administration (OSHA), in settlement of the above citation(s) and penalties which were issued on 03/25/2003, hereby agree as follows:

1. The Employer agrees to correct the violations as cited in the attached citations.
2. The Employer agrees to pay the reduced penalties, amended by this agreement, in the amount of

\$1,023.75

3. The Employer has been provided with a copy of OSHA Fact Sheet No. 91-37, Voluntary Safety and Health Program Management Guidelines. The Employer agrees to implement the four major elements of these guidelines: Management commitment and employer involvement; worksite analysis; hazard prevention and control; and safety and health training. As long as these four major elements are implemented, the safety and health program may be customized to address your site specific needs.
4. The Employer, by signing this informal settlement agreement, hereby waives its rights to contest the above citation(s) and penalties, as amended in this agreement.
5. The employer agrees to immediately post a copy of this Informal Settlement Agreement in a prominent place at or near the location of the violation(s) referred to in the attached citation. This Informal Settlement Agreement must remain posted until the violations cited have been corrected, or for 3 working days (excluding weekends and Federal Holidays), whichever is longer.
6. The employer agrees to continue to comply with the applicable provisions of the Occupational Safety and Health Act of 1970, and the applicable safety and health standards promulgated pursuant to the Act.

ABATEMENT CERTIFICATION LETTER

Company Name: Corry Manufacturing Company
Inspection Site: 519 West Main Street, Corry, PA 16407
Issuance Date: 03/25/2003

This is to certify that the hazards referenced in Inspection Number _____ have been corrected as described below:

Citation ____ Item ____ was corrected on _____ by the following method:

Citation ____ Item ____ was corrected on _____ by the following method:

Citation ____ Item ____ was corrected on _____ by the following method:

Citation ____ Item ____ was corrected on _____ by the following method:

Citation ____ Item ____ was corrected on _____ by the following method:

Citation ____ Item ____ was corrected on _____ by the following method:

I attest that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement activities described in this certification.

TYPED NAME OF COMPANY OFFICIAL AND TITLE DATE

SIGNATURE

NOTE: 29 USC 666.(g): Whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than six months or both.